

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
(WESTERN DIVISION)

NATHAN BROOKS, LARRY BARTLETT,	)	
MICHAEL LEMIEUX, EDUARDO ARANGO,	)	C.A. No. 07-CV-30164-MAP
RADOSLAW RUDSKI, and ARMAND	)	
GAMACHE, Individually and on Behalf of All	)	<u>CLASS ACTION</u>
Other Persons Similarly Situated,	)	
	)	DECLARATION OF
Plaintiffs,	)	ERIC SPRINGER IN
	)	SUPPORT OF MOTION FOR
v.	)	FINAL APPROVAL OF
	)	CLASS ACTION
HALSTED COMMUNICATIONS, LTD,	)	SETTLEMENT
HALSTED COMMUNICATIONS LLC, and	)	
KIRK HALSTED,	)	
	)	
Defendants.	)	

I, ERIC SPRINGER, hereby declare:

1. I am employed as a Case Manager by Simpluris, Inc. ("Simpluris") the claims administrator in the above-entitled action. My business address is 1485 S. Semoran Blvd., Suite 6-1401, Winter Park, FL 32792. My telephone number is (714) 640-5633. I am over twenty-one years of age and authorized to make this declaration on behalf of Simpluris and myself.

1           2.       Simpluris, Inc. is a Class Action Settlement Administration company  
2 headquartered in Costa Mesa, CA. It was founded by individuals who have each managed  
3 hundreds of settlements, along with professionals in the areas of Software Development, Third-  
4 Party Claims Administration, Mail-House Operations, and Call Center Support Management.

5           3.       Simpluris was engaged by Counsel for the Class Representatives ("Plaintiffs"),  
6 and Counsel for Defendants, Halsted Communications, LTD, Halsted Communications LLC, and  
7 Kirk Halsted., (collectively the "Parties"), to provide settlement administration services in the  
8 matter of Nathan Brooks, et al. v. Halsted Communications, LTD, et al. ("Settlement").  
9 Simpluris's duties and responsibilities include: a) printing and mailing of Notice of Class Action  
10 Settlement and Settlement Hearing ("Notice"); b) performing skip traces on Notices returned as  
11 undeliverable; c) receipt and validation of any Opt-Out requests; d) calculation of Settlement  
12 Beneficiaries' Settlement Awards; e) mailing of all Settlement Beneficiaries' settlement checks  
13 and will also include tax-reporting following final approval; f) answering questions from class  
14 members.

15           4.       On March 23, 2010, Simpluris received from Plaintiffs' Counsel the final court-  
16 approved Notice is attached hereto as Exhibit "A". The Notice advised Class Members they  
17 could submit an objection, opt-out of the Consent Decree, or dispute their dates of employment  
18 and state(s) in which they worked on or before May 20, 2010.

19           5.       A toll-free telephone number was included in the Class Notice for the purpose of  
20 allowing the Class Members to call Simpluris and to make inquiries regarding the Settlement.  
21 The toll-free telephone number included in the Class Notice was 1-888-369-6079.

22           6.       On March 29, 2010, Class Counsel provided Simpluris with a mailing list ("Class  
23 List") containing 2,832 valid Class Member names, last known addresses, state worked, and the  
24 hire and termination dates worked during the class period. The list contained 1,106 Class  
25 Member Social Security Numbers. On May 18, 2010, Simpluris received all but 2 of the missing  
26 Social Security Numbers which could not be located by Defendant. Simpluris is currently  
27 working on contacting the 2 Class Members to obtain the missing information for disbursement  
28 purposes following final approval.

          7.       The mailing addresses contained in the Class List were processed and updated  
utilizing the National Change of Address Database ("NCOA") maintained by the U.S. Postal  
Service. The NCOA contains requested changes of address filed with the U.S. Postal Service. In

1 the event that any individual had filed a U.S. Postal Service change of address request, the  
2 address listed with the NCOA would be utilized in connection with the mailing of the Notice  
3 Packets.

4 8. On April 2, 2010, Notice Packets were mailed to 2,832 Class Members contained  
5 in the Class List via First Class mail. The Notice contained a good faith estimate of each Class  
6 Member's Settlement Award amount, the state(s) in which they worked, and the dates of  
7 employment reflected in the Defendant's records which was used to calculate that amount.

8 9. As of this date, 619 Notices were returned by the post office. For those without  
9 forwarding addresses, Simpluris performed a skip trace on all of these addresses by using  
10 Accurint (LexisNexis ® Company), which based on my experience is one of the most  
11 comprehensive databases available. For each Notice Packet returned, Simpluris utilized the  
12 Class Member's name, previous address and Social Security Number for locating a current  
13 address. Simpluris re-mailed 470 Notice Packets to either a newfound addresses, a forwarding  
14 addresses provided by the United States Postal Service, or at the request of the Class Member.  
15 Ultimately, 72 Notice Packets were undeliverable because Simpluris was unable to find a better  
16 address. Simpluris has diligently utilized all reasonable means to locate a better address for the  
17 undeliverable notice packets for each of these Class Members.

18 10. Class Counsel has provided an additional 4 Class Members that were  
19 inadvertently missing from the initial class list. Thus, the total number of Class Members to  
20 whom Notices were mailed is 2,836.

21 11. As of this date, 0 objections to the settlement were received by Simpluris.

22 12. As of this date, 1 opt-out has been received by Simpluris. The 1 valid and timely  
23 opt-out represents 0.04% of the entire Settlement Class.

24 13. As of this date, 11 of the 2,836 Class Members disputed their employment  
25 information printed on their Notice. Simpluris is currently working with Counsel for the Parties  
26 on curing the outstanding disputes.

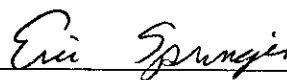
27 14. The most current weekly report dated May 25, 2010 is attached hereto as Exhibit  
28 "B".

15. The estimated Settlement Fund Breakdown is listed below and is attached as Exhibit  
"C". The unclaimed funds that are to be paid to a cy press award may change depending on the  
outcome of the outstanding disputes.

Settlement Amount:	\$ 2,900,000.00
Less claims administration	- 30,000.00
Less incentive awards:	- 80,000.00
Less proposed attorneys' fees:	- 966,666.66
Less proposed attorneys' costs:	- <u>34,687.00</u>
<b>Net Settlement Amount:</b>	<b>\$1,788,646.34</b>
MA & NY 10% class members' claimed amount:	- \$ 171,237.75
FLSA, MA, & NY 90% class members' claimed amount:	- <u>1,543,930.41</u>
<b>Total Claimed Amount:</b>	<b>- \$1,767,232.59</b>
Opt-out member's settlement amount:	- 1,100.75
Undeliverable members' settlement amount:	- 52,064.41
Reduction in attorneys' fees:	- <u>20,313.00</u>
<b>Balance:</b>	<b>\$ 0</b>

15. With regard to Simpluris' invoice for services in connection with the administration of the settlement, Simpluris originally bid its services at \$34,090.00; however, following negotiations with counsel for the Parties, reduced its bid to a flat-fee of \$30,000.00. Simpluris' work in connection with this matter will continue with the calculation of the settlement checks, issuance and mailing of those settlement checks, etc., and to do the necessary tax reporting on such payments.

I declare under penalty of perjury under the laws of the United States and the State of Massachusetts that the foregoing is true and correct and that this declaration was executed on May 26, 2010 at Winter Park, Florida.



ERIC SPRINGER